

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DAVID ALLEN WRIGHT,
Defendant.**

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CRIMINAL NO. A-11-CR-001-LY

FACTUAL BASIS

Had this matter proceeded to trial, the United States Attorney for the Western District of Texas was prepared to prove the following facts beyond a reasonable doubt:

Prior to June August 23, 2010, David Allen Wright had committed, and had been convicted of Sexual Assault of a Child, an offense punishable by imprisonment for a term exceeding one year.

On August 23, 2010, an Austin Police Department patrol officer observed a vehicle driven by the defendant commit a number of traffic offenses in Austin, Texas. After the patrol officer activated her overhead lights in an effort to get the vehicle to pull over and stop, the defendant began to flee and did not stop. The defendant ran several red stop lights, and drove through several four-way intersections controlled by stop signs without stopping. The defendant continued to ignore the patrol officer's siren and overhead lights and continued to flee, often at very high speeds, until he crashed into another vehicle, a Volkswagon Jetta containing three occupants, at the intersection of 11th Street and the east-bound frontage road of interstate 35 North. Upon being removed from his vehicle, the defendant advised the officer the he ran because he was a felon and he had a gun in the

vehicle. Upon looking into the vehicle, the officer was able to observe a revolver on the front passenger seat. The officer recovered a Charter Arms, Model Undercover, .38 caliber revolver, with an obliterated serial number from the vehicle.

Upon being given his Miranda rights, the defendant admitted being a convicted felon, and further admitted purchasing the firearm approximately one month before the date of his arrest.

A qualified expert would testify that the above-referenced firearm was tested and found to function as designed, was manufactured outside the state of Texas, and that the transportation of the firearm to Austin, Texas, involved travel from one state to another thereby affecting interstate and/or foreign commerce. All of the events described above and in the Indictment in this case occurred within the Western District of Texas.

ROBERT PITMAN
United States Attorney

By: /s/ Anthony W. Brown_____
ANTHONY W. BROWN
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Austin, Texas 78701
TX Bar. No. 03091600

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of December, 2011 a true and correct copy of the foregoing Factual Basis was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Bill Ibbotson
Assistant Federal Public Defender

/s/ Anthony W. Brown
ANTHONY W. BROWN
Assistant U.S. Attorney